



RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/10/97)

Agency: Department of Licensing

- Permanent Rule
- Emergency Rule
- Expedited Adoption
- Expedited Repeal

(1) Date of adoption: March 22, 2001

(2) Purpose: To implement WAC 196-23-070 which defines signature as both a handwritten identification and a digital identification. The rule clarifies what a handwritten identification is in order to reduce confusion that has existed on this issue in the past. By including digital identification as a form of signature, licensed engineers and land surveyors will be able to incorporate digital identification technology into their electronic documents such as maps, plans, specifications, reports, records-of-survey, etc. This will allow them send such documents electronically and still meet the requirement to sign work done by them or under their direct supervision.

(3) Citation of existing rules affected by this order: None

- Repealed:
- Amended:
- Suspended:

(4) Statutory authority for adoption: RCW 18.43.035

Other Authority:

PERMANENT RULE ONLY (Including EXPEDITED ADOPTION)

Adopted under notice filed as WSR 01 04 050 on February 2, 2001 (date).

Describe any changes other than editing from proposed to adopted version: No Changes

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

EXPEDITED REPEAL ONLY

Under Preproposal Statement of Inquiry filed as WSR ____ on ____ (date)

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- Yes
 - No
- If Yes, explain:

(6) Effective date of rule:

Emergency Rules

Permanent Rules
or Expedited Repeal

- 31 days after filing
- Other (specify) _____*
- Immediately
- Later (specify)

*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

George A. Twiss

Signature

George A. Twiss

Title

Executive Director

Date

April 5, 2001

CODE REVISER USE ONLY

CODE REVISER'S OFFICE
STATE OF WASHINGTON

APR 6 2001

253

TIME

WSR 01-09-017

AM
PM

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended	Repealed
Recently enacted state statutes:	New	Amended	Repealed

The number of sections adopted at the request of nongovernmental entity:

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	<u>1</u>	Amended	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>1</u>	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended	Repealed

NEW SECTION

WAC 196-23-070 Signature. The terms “signature or signed”, as used in chapter 18.43 RCW and/or Title 196 WAC, shall mean the following:

(1) A handwritten identification that represents the act of putting one’s name on a document to attest to its validity. The handwritten identification must be:

- (a) Original and written by hand;
- (b) Permanently affixed to the document(s) being certified;
- (c) Applied to the document by the identified registrant.

(2) A digital identification that is an electronic authentication process attached to or logically associated with an electronic document. The digital identification must be:

- (a) Unique to the registrant using it;
- (b) Capable of independent verification;
- (c) Under the exclusive control of the registrant using it;
- (d) Linked to a document in such a manner that the digital identification is invalidated if any data in the document is changed;
- (e) In conformance with the definition of “digital signature” as it appears in chapter 19.34 RCW, Washington Electronic Authentication Act.